



THE CITY OF SAN DIEGO

Report to the City Council

DATE ISSUED: May 18, 2016

REPORT NO: 16-054

ATTENTION: Charter Review Committee

SUBJECT: Relocating Legislative and Executive Activity Found Throughout the Charter to Article III – The City Council and Article IV – The Mayor, Respectively.

REFERENCE:

REQUESTED ACTION: Move Charter sections addressing legislative activity to Article III, including but not limited to sections 270 – The Council, 275 – Introduction and Passage of Ordinances and Resolutions, 280 – Approval or Veto of Council Actions by Mayor, 285 – Enactment Over Veto, 290 – Council Consideration of Salary Ordinance and Budget: Special Veto Power and 295 – When Resolutions and Ordinances Take Effect; Emergency Measures; and move Charter sections addressing Executive activity to Article IV, including but not limited to sections 260 – Integration of Article with Charter and 265 – The Mayor.

STAFF RECOMMENDATION: Approve the requested action.

EXECUTIVE SUMMARY OF ITEM BACKGROUND: The requested action is to relocate and consolidate primarily legislative activity found throughout the Charter in Article 3 – The City Council; and relocate and consolidate primarily executive activity found throughout the Charter in Article 4 – The Mayor.

Charters and constitutions typically describe the activities of their legislative and executive branches in those branches' respective articles. Until 2006, the City of San Diego's legislative and executive activities were located in Article 3 – Legislative Power and Article 4 – The Mayor.

In 2005, the authors and proponents of the Strong Mayor form of government presented that new form of governance to the voters in one complete new Article 15 – Strong Mayor. A decade later, the Mayor – Council form of government is established and relocating primarily legislative and executive activities to their historically assigned Articles would be less confusing and more appropriate.

FISCAL CONSIDERATIONS: None

EQUAL OPPORTUNITY CONTRACTING INFORMATION (if applicable): None

PREVIOUS COUNCIL and/or COMMITTEE ACTIONS:

March 2, 2016, the Charter Review Committee voted to direct the City Attorney to return to the Committee with a rewritten Article III that includes sections 270, 275, 280, 285, 290 and 295; and also a determination as to whether this action can be combined under the Single Subject Rule with the action approved in Item 3 above. (Yea: 1, 6, 9; Nay: None; Recused:

None; Not Present: 5)

March 23, 2016, the Charter Review Committee voted to direct the City Attorney to return to the City Council with a rewritten Article 4 that includes sections 260 and 265. (Yea: 1, 5, 6, 9; Nay: None; Recused: None; Not Present: None)

COMMUNITY PARTICIPATION AND OUTREACH EFFORTS: None

KEY STAKEHOLDERS AND PROJECTED IMPACTS: The Departments/Offices involved are the only stakeholders and should not be impacted negatively by the action.

Council District 1 Steven Hadley, Committee Consultant

Originating Department Name-Title

- Attachment(s):
1. Report to the City Council 16-023, Relocating Legislative Activity Found Throughout the Charter to Article III – The City Council.
 2. Report to the City Council 16-030, Relocating Executive Activity Found Throughout the Charter to Article IV – The Mayor.